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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,058	02/02/2004	Gregory Lee Burns	BURNS-001	1519
7590 08/10/2005				
ANDREW D. GATHY P.O. BOX 351 EAST LYME, CT 06333				
			EXAMINER RODRIGUEZ, RUTH C	
			ART UNIT 3677	PAPER NUMBER

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/771,058

Applicant(s)

BURNS, GREGORY LEE

Examiner

Ruth C. Rodriguez

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

Handwritten signature or mark.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Robison (US 3,866,946).

A triple clamp comprises a body (11), an offset and at least one clamp insert (26,29). The body defines a first fork clamp (upper clamp) opposite a second fork clamp (lower clamp) along a common centerline (Figs. 1-9). The body defines a center steering pivot (Figs. 1-9). The center steering pivot includes a pivot centerline (30). The offset (x) is defined by the common centerline (31) and the pivot centerline. The at least one clamp insert has an eccentric form insertable in each of the first fork and the second fork (Figs. 3, 5, 7 and 9). The clamp insert is configured to shift the offset (Figs. 1-9).

The at least one clamp insert comprises an insert body (28,29) having an insert wall. The insert wall defines an insert perimeter and an insert inside diameter (Figs. 1-9). The insert wall has a variable thickness (Figs. 3, 5, 7 and 9). The variable thickness is configured to shape the eccentric form (Figs. 1-9).

The at least one clamp insert is configured to be insertable in the center steering pivot (11).

The inside perimeter is configured to dispose in each of the first fork clamp and the second fork clamp (Figs. 1-9).

The at least one clamp insert comprises a reversible feature (Figs. 1-9). The reversible feature is configured to create a first shift in the offset and a second shift in the offset (Figs. 1-9).

The at least one clamp insert is configured to shift the offset in one of forward or rearward relative to the center steering pivot (Figs. 1-9).

The clamp insert perimeter is configured to be insertable in the center steering pivot to shift the offset (Figs. 1-9).

The at least one clamp insert (29) comprises a ball clamp insert having a ball clamp body forming a ball cavity supporting a ball insert (16C,37,38).

The ball clamp insert is configured to alter a fork rake angle (Figs. 1-9).

The at least one clamp insert comprises an angled clamp insert having an inner surface formed with a pitch along the axis of the angled clamp insert (Figs. 1-9).

The pitch corresponds with a predetermined fork rake angle (Figs. 1-9).

A triple clamp comprises a clamp body (11), an offset and a clamp insert (26,29). The clamp body forms a first fork clamp (upper one) and a second fork clamp (lower one), a center steering pivot (15) formed in the clamp body between the first fork clamp and the second fork clamp. The center steering pivot defines a steering centerline (30). The first and second fork clamps define a fork centerline (31). The offset is formed

Art Unit: 3677

between the steering centerline and the fork centerline (Figs. 1-9). The clamp insert includes an insert body defining an insert wall defining an inside diameter and an insert outside diameter (Figs. 3, 5, 7 and 9). The clamp insert outside diameter is configured to be insertable in each of the first fork clamp and the second fork clamp and configured to shift the offset (Figs. 1-9).

The insert wall comprises a variable thickness (Figs. 3, 5, 7 and 9). The variable thickness forms an eccentric insert center relative to the insert outside diameter (Figs. 3, 5, 7 and 9).

The clamp insert includes a reversible feature (Figs. 1-9). The reversible feature is configured to create a first shift in the offset and a second shift in the offset (Figs. 1-9).

The inside diameter is configured to mount a fork (Figs. 1-9).

The outside diameter includes an oval shape and the insert body is reversible 180 degrees (Figs. 1-9). A first offset and second offset are configurable from the reversible insert body (Figs. 1-9).

The clamp insert comprises a ball clamp insert having a ball clamp body forming a ball cavity configured to support a ball insert (16C,37,38). The ball clamp insert is configured to alter a fork rake angle (Figs. 1-9).

A method of using a triple clamp comprises: a) installing a set of triple clamps on a motorcycle frame (Abstract). The set of triple clamps comprising an upper triple clamp (upper one). The upper triple clamp and the lower triple clamp (lower one) each comprises a body (11) defining a first fork clamp opposite a second fork clamp along a common centerline (31). The body defines a center steering pivot (15). The center

Art Unit: 3677

steering pivot includes a pivot centerline (30), an offset (x) defined by the common centerline and the pivot centerline. b) inserting an upper set of clamp inserts in the upper triple clamp (Figs. 1-9). Each the upper clamp insert having an eccentric form insertable in each of the first and second forks of the upper triple clamp (Figs. 3, 5, 7 and 9). The upper clamp insert is configured to shift the offset of the upper triple clamp (Figs. 1-9); c) inserting a lower set of clamp inserts in the lower triple clamp (Figs. 1-9). Each lower clamp insert has an eccentric form insertable in each of the first and second forks of the lower triple clamp (Figs. 1-9). The lower clamp insert is configured to shift the offset of the lower triple clamp (Figs. 1-9); and d) shifting the offset of the upper triple clamp and the lower triple clamp (Figs. 1-9).

The method further comprises reversing the upper set of clamp inserts, reversing the lower set of clamp inserts, creating a first offset and creating a second offset (Figs. 1-9).

The method further comprises replacing the upper set of clamp inserts with an upper set of ball clamp inserts (Figs. 1-9). The ball clamp inserts comprises a ball clamp body forming a ball cavity supporting a ball insert (16C,37,38).. The ball clamp inserts are configured to alter a fork rake angle (Figs. 1-9). Replacing the lower set of clamp inserts with a lower set of angled clamp inserts (Figs. 1-9). The angled clamp inserts comprises an inner surface formed with a pitch along the axis of the angled clamp insert; and altering the fork rake angle (Figs. 1-9).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kock et al. (US 3,342,507) and Kao (US 5,404,769) are cited to show state of the art with respect to the use of eccentric inserts in automobile parts.

Robinson (US 3,866,946), Scheibe et al. (US 5,938,225), Callaluca et al. (US 5,967,538), Nakagawa et al. (US 6,783,158 B2) and German Patent Document DE 39 33 058 A1 are cited to show state of the art with respect to triple clamps having some of the features being claimed by the current application for changing the offset.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C Rodriguez whose telephone number is (571) 272-7070. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075.

Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Recognizing the fact that reducing cycle time in the processing and examination of patent applications will effectively increase the patent's term, it is to your benefit to submit responses by facsimile transmission whenever permissible. Such submission will place the response directly in our examining group's hands and will eliminate Post Office processing and delivery time as well as PTO's mailroom

Art Unit: 3677

processing and delivery time. For a complete list of correspondence **not** permitted by facsimile transmission, see MPEP § 502.01. In general, most responses and/or amendments not requiring a fee, as well as those requiring a fee but charging such fee to a deposit account, can be submitted by facsimile transmission. Responses requiring a fee that the applicant is paying by check **should not be** submitted by facsimile transmission separately from the check.

Responses submitted by facsimile transmission should include a Certificate of Transmission (MPEP § 512). The following is an example of the format the certification might take:

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(Typed or printed name of person signing this certificate)

(Signature)


If your response is submitted by facsimile transmission, you are hereby reminded that the original should be retained as evidence of authenticity (37 CFR 1.4 and MPEP § 502.02). Please do not separately mail the original or another copy unless required by the Patent and Trademark Office. Submission of the original response or a follow-up copy of the response has been transmitted by facsimile will cause further unnecessary delays in the processing of your application, duplicate responses where fees are charged to a deposit account may result in those fees being charged twice.



Art Unit: 3677

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-6640.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Ruth C. Rodriguez  
Patent Examiner  
Art Unit 3677

rcr  
August 8, 2005